



SCHOOL BUS, INC.

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DEPARTMENT OF EDUCATION "POINT OF CONTACT" **MAY NEWSLETTER**

Congress to Hold Head Start Hearings

The House Education and the Workforce Committee and the Senate Health, Education, Labor and Pensions Committee have announced their intent to hold hearings in early April on a recent Government Accountability Office (GAO) report on the Head Start program. The study found that 76 percent of local Head Start operators surveyed in 2000 had some form of financial irregularity. GAO determined that more than half of those operators had recurring financial management problems and has urged the Department of Health and Human Services (HHS) to develop a better system to identify local centers with financial problems. In 2003, the House passed legislation that included an Administration proposal to allow up to eight states to take over their local Head Start programs, which are federally funded but operate locally by groups such as religious charities and nonprofit organizations. The Senate Health, Education, Labor and Pensions Committee approved a companion Head Start bill without the block grant proposal. Senate Democrats, however, would not allow the bill to come to the Senate Floor because they feared they would be shut out of Conference negotiations and that the state pilot project would be included in the final bill. The bill approved by the Senate Health, Education, Labor and Pensions Committee included safeguards to prevent such abuses, including a requirement that all local Head Start programs would have to reapply for their grants every five years unless HHS found they met financial management and program goals. Wade Horn, Assistant Secretary for Administration for Children and Families at the Department of Health and Human Services stated that his agency is taking action to correct the problems identified in the GAO Report.

FMCSA Answers CDL Questions

NSTA members who attended the board Meeting in Washington last week had the opportunity to meet informally with officials from the Federal Motor Carrier Safety Administration (FMCSA) to discuss implementation of the S endorsement and other matters under FMCSA jurisdiction.

What concerns members most is the possibility that all mechanics and others who may need to drive an empty school bus will have to have a school endorsement on their CDL, and will need to meet all the state requirements for that endorsement. Bob Redmond of the State Programs Division, primary author of the CDL regulations, explained the difference between the federal requirements and state requirements. Under the federal requirements, anyone who drives a school bus as defined by FMCSA needs both a P and an S endorsement. Based on prior interpretations that the driver of a bus needs a P endorsement whether or not there are passengers aboard, FMCSA has said that mechanics who operate an empty school bus for road tests must have the S endorsement. New York has challenged that interpretation and has requested a formal ruling from FMCSA's Chief Counsel. At the time of our meeting, there had not yet been a decision, but we will let you know when that ruling comes out. Another issue that has not yet been officially determined is whether the driver of a school bus used as a commercial bus (i.e. the school bus sign is covered and the flashing lights are disabled) needs an S endorsement. So far no state has requested an official ruling on that issue, but Redmond said that Pennsylvania has raised the question. However the rulings come out, states have some discretion in their licensing requirements. The federal rule requires only that the driver pass the school bus written test and pass the skills test in a school bus; it does not require any training, background checks, or other qualifications that states may add for school bus drivers. Most members are concerned about the cost of putting mechanics through the lengthy required training for school bus drivers, or about their mechanics meeting the more stringent background or motor vehicle record qualifications for school bus drivers. Since those are state requirements rather than federal requirements, Redmond suggested that members work with their states to develop a restricted S endorsement. The restriction would apply to persons who do not meet the state requirements for school bus drivers (e.g. training and background checks) and would prevent them from operating a school bus with students on board. A restricted license is acceptable to FMCSA. Redmond

provided a sheet showing the states that have passed conforming legislation to enable the S-endorsement and other requirements of the Motor Carrier Safety Improvement Act. As of April 11, nine states had not yet passed S-endorsement legislation: ID, ME, MT, NV, NY, OR, RI, SC, and WV. Many more states have not passed other parts of the law, including the new disqualification offenses and the prohibition against masking convictions of CDL holders with accelerated rehabilitation and other means, such as reducing charges. All of the provisions must be passed by September 30, 2005, or states face the loss of federal highway funds. The deadline for states to apply for a two-year exemption from administering the written school bus test to drivers licensed prior to September 30, 2002, has passed. About a dozen states have received approval for the exemption. FMCSA will determine during the exemption period whether to propose rulemaking to make the exemption permanent. Peter Chandler from FMCSA's Passenger Carrier Safety Division told members at the meeting that the agency has stepped up its compliance reviews of passenger carriers. They are concentrating on motorcoach operators now, but expect to expand the program to school bus operators in the near future. The compliance review results in a safety rating for carriers.

School Bus Recalls

Blue Bird Corporation Blue Bird All American

Years: 2002-2005 - Blue Bird Conventional - Years: 2003-2006

Mfg. 12/02 - 2/05, Recall # 05V074, Certain school buses are equipped with Webasto Coolant Heaters, Model DBW 2010 (assembled with burner tubes P/N 303046/26533A). The stainless steel burner tube is made out of a material that is not to specification and could fail prematurely. Should the burner tube fail, the coolant heater could overheat, possibly resulting in a fire.

Blue Bird Corporation Blue Bird Micro Bird

Blue Bird Conventional - Years: 2003-2005

Recall # 05V036, Certain school buses do not have the tire load range on both the tire information label and certification decal as required by Federal Motor Vehicle Safety Standard No. 120, Tire Selection and Rims for Motor Vehicles other than Passenger Cars.

Blue Bird Corporation Blue Bird Vision Conventional

Years: 2004-2006 - Mfg. 6/03 - 2/05

Recall # 05V075, On certain school buses a short can occur in the crossing arm circuit or the 8-way warning light circuit, causing the heavy duty transistor w/built in circuit protect to trip resulting in an inadvertent engine shutdown. A vehicle crash could occur should the engine shutdown while the bus is in use, possibly resulting in injury or death.

Collins Bantam, Super Bantam

Mfg. 9/02 - 1/05

Recall # 05V011, On certain school buses, the protective rubber parts that cover the fuel lines to prevent contact with metal edges may be missing. The fuel lines may be cut resulting in fuel spillage and in the presence of an ignition source, could result in a fire.

IC, CE, FE, RE

Mfg. 3/98 - 8/04

Recall # 04V498, On certain school buses with one or more CE White 30-inch child restraint seats, the seat cushion retention may not retain the seat in all circumstances. In the event of a sudden stop, the seat cushion may tip forward and may become unattached causing the passenger to slide off the seat and/or be trapped by the seat cushion.

Girardin Minibus - MBIV Ford Diesel

Years: 2004 – 2005, Mfg. 5/04 - 2/05

Recall # 05V012. On certain school buses equipped with optional BBX (battery box), the electrical cables (P/Nos. 27DF01 and 27DF3001) between the batteries and the battery junction box (under the hood) has no fusible link for cable protection. Because there is no protection, if there is a short circuit, it may possibly result in a fire.

Tie Rod Recall Affects Some Thomas Built Buses

WASHINGTON, D.C. - Dana Corporation issued a voluntary recall of certain steer axle assemblies that crack on the internal thread root of the tie rod, sold exclusively as original equipment to Thomas Built Bus. The company's Heavy Vehicle Technologies and Systems Group found that the nearly 6,000 TRW tie rod assemblies may not be compatible with model year 2001 through 2004 applications. Affected Thomas Built 1320 axle application part numbers are 61110702 and 61110705. Affected 1460 axle application part numbers are 61110707 and 61110708. Both applications are installed

on Thomas Buses with six inch and 30-inch air chambers. The NHTSA recall number is 00E-047.004. Dana said Thomas Built Bus will replace the existing tie rod assemblies, which contain a thread cut design, with a new tie rod assembly utilizing a rolled thread design that provides less stress on the critical area.

Cummins ISB Engines

Cummins will voluntarily recall ISB diesel engines in certain school buses with Federal-Mogal 12- and 24-volt fuel lift pumps because the engines may stall, leading to a possible crash. The affected model years were not available but the NHTSA site said recall No. 05E007000 potentially affects over 43,000 units. The company will notify affected customers to bring their vehicles to an authorized dealer for a fuel lift pump replacement free of charge. The recall is expected to begin in June. Cummins also issued a voluntary recall of ISB engines in 1998-2000 Spartan MY school buses due to a similar stalling problem relating to the fuel pump lifts. Cummins said customers should call 812/377-3713. Customers can also contact NHTSA's Auto Safety Hotline at 888/327-4236.

EQUIPMENT

Sure-Lok Wheelchair Tie-down Securement Assemblies

P/N 8625-13

Recall #04E058, The sprocket teeth of the retractor assembly may be out of alignment causing the load pawl not to fully seat in the sprocket teeth. In the event of a vehicle crash, the wheelchair may not be adequately secured possibly resulting in injuries to the seat occupant and/or other passengers.

Dorel Child Restraint System

Model No. 22-001FSM

Recall # 04C004000, Dorel Juvenile Group, Inc., announced it will voluntarily recall rear-facing COSCO Dreamride child restraint systems manufactured between Dec. 1, 2003 and April 28, 2004. Model No. 22-001FSM was found to not perform correctly during a NHTSA-mandated compliance test, the company said, which could increase the risk of injury for children because they would not be properly restrained during a crash. Dorel instructed owners to discontinue use in the rear-facing mode and use the restraint only as a car bed for small infants unable to ride in a semi-reclined position because of medical reasons to instead ride lying down. However, if an owner needs a rear-facing child restraint, Dorel said it will provide a free replacement unit.

Driver's cell phone blamed in bus crash

Every school transportation facility should have a cell phone policy!

TEMPLE HILLS, Md. -- A school bus driver for Prince George's County Public Schools in suburban Washington, D.C., was charged with negligent driving after her bus left the road and tumbled 20 feet down an embankment. More than two dozen students were aboard the bus, but none was seriously injured. Based on student accounts of the accident, the driver was reaching down for her purse to answer a call on her cell phone when she lost control of the vehicle and slipped from her seat. The bus crossed the median and hit a pole before leaving the roadway. It came to rest in an upright position in a tree-lined embankment.

The driver, a five-year veteran, was issued a \$75 ticket for failure to drive right of center and a \$275 ticket for negligent driving. She was also put on administrative leave pending a school investigation. Students and parents were angry about her alleged cell phone use. "She only had one hand on the wheel," one student told reporters after the incident. "It's not the first time that drivers have used their phones," an upset parent said.

The crash brings into focus industry concerns about whether school bus drivers should be allowed to use cell phones while driving. Nine states have banned school bus drivers from using cell phones while the bus is in motion. Maryland, however, has no such prohibition. In Utah, a bill that would prohibit bus drivers from talking on a cell phone while driving was sponsored this past session by a lawmaker who happens to be a school bus driver.

Brent Huffman, pupil transportation specialist for the Utah State Office of Education, said the bill received committee approvals in the House and Senate but did not pass the floor of the Senate. "He says he'll try again next session," Huffman said of the legislator. "There is no cell phone use policy of which I am aware at the district level at the present time," Huffman added.

In Wyoming, state lawmakers have for four straight years considered a bill prohibiting cell phone use while driving, but the measure has failed each time, according to Leeds Pickering, the program manager for traffic safety and pupil transportation at the Wyoming Department of Education. Pickering said he didn't know of any school districts that have an internal policy banning cell phone use among school bus drivers.

At Prince George's County, the school district discourages bus drivers from using cell phones while driving but doesn't prohibit them from doing so.

NHTSA Publishes Final Tire Pressure Monitor Rule The National Highway Traffic Safety Administration recently published a final rule requiring all new passenger cars, multi-purpose passenger vehicles, trucks, and buses with a gross vehicle weight rating (GVWR) of 10,000 pounds or less, except those with dual wheels on an axle, to be equipped with a Tire Pressure Monitoring System to alert the driver when one or more of the vehicle's tires, up to a total of all four tires, is

significantly under-inflated. Specifically, the TPMS must warn the driver when the pressure in one or more of the vehicle's tires is 25 percent or more below the vehicle manufacturer's recommended cold inflation pressure, or a minimum level of pressure specified in the standard, whichever is higher. If any tire drops below the standard's activation threshold, the TPMS is required to provide the low tire pressure warning by illuminating a yellow telltale within 20 minutes of additional travel within a speed range of 50-100 km/hr. This telltale must remain illuminated (and re-illuminate upon subsequent vehicle start-ups) until the under-inflation condition has been corrected. Under-inflation of tires increases the likelihood of many different types of crashes, including those involving: (1) skidding and/or loss of control of the vehicle; (2) hydroplaning; (3) increases in stopping distance; (4) flat tires and blowouts, and (5) overloading of the vehicle. NHTSA anticipates that 90 percent of drivers will respond to a TPMS low tire pressure warning by re-inflating their tires to the recommended placard pressure. Once all new light vehicles are equipped with compliant TPMSs, the agency expects that a resulting 119-121 fatalities would be prevented each year. The new Federal Motor Vehicle Safety Standard (FMVSS 138) will be phased in from September 2005 to September 2008 on new vehicles, including small school buses that have only four tires.

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